

DOCUMENT RESUME

ED 342 451

JC 920 133

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TITLE A Content Analysis of Codes of Ethics and Related Documents from 100 of America's Largest Community, Junior, and Technical Colleges.
INSTITUTION Itawamba Community Coll., Fulton, MS.
PUB DATE May 92
NOTE 22p.
PUB TYPE Viewpoints (Opinion/Position Papers, Essays, etc.) (120) -- Information Analyses (070)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Codes of Ethics; *Community Colleges; Comparative Analysis; Conflict of Interest; *Content Analysis; Ethics; Faculty College Relationship; National Surveys; Predictive Measurement; Two Year Colleges

ABSTRACT

In 1992, a study was conducted of the codes of ethics and relevant policy and procedural statements of the largest two-year colleges in each state. By analyzing these documents, the study sought to determine whether a common body of ethics is surfacing among the colleges surveyed; compare academic codes of ethics with business codes of ethics, and predict trends. Codes of ethics or related documents were requested from 233 two-year colleges from all 50 states; 100 colleges submitted their codes of ethics and another 68 responded that they had no such documents. Of the codes submitted, 30 were for trustees, 26 for faculty, 5 for administrators (excluding the president), and 6 for students. Six colleges each forwarded the codes of ethics of the American Association of University Professors and the National Education Association, and 5 adopted the codes of their state university systems. The analysis of these codes found 76 elements, categorized as adopted college policies; laws or actions of employees which would be impacted by laws; employees and their behavior; political activity of employees or the colleges; community service by employees or the colleges; and administration and enforcement of the codes of ethics. The academic codes of ethics had 37 elements in common with the codes of ethics of America's largest corporations, including provisions related to conflict of interest, use of college/company assets/equipment, employment opportunities, and employment of relatives. Additional study findings included the following: (1) a few colleges had ethics commissions comprised of faculty and administrators who evaluated the code of ethics periodically; (2) a few colleges required administrators and faculty to sign a printed statement indicating they have received a copy of the code of ethics and agreed to comply with it; and (3) at some colleges, administrators and faculty were invited to serve as guest lecturers on ethical issues. A list of predicted trends in the adoption and use of codes of ethics in community, junior, and technical colleges is attached. (JMC)

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A CONTENT ANALYSIS
OF
CODES OF ETHICS AND RELATED DOCUMENTS
FROM 100 OF AMERICA'S LARGEST
COMMUNITY, JUNIOR AND TECHNICAL COLLEGES

by

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May, 1992

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I. INTRODUCTION

Over the past 50 years this country has experienced a tremendous increase in the number of community/junior colleges. Each new college opened required the employment of administrators, faculty, and support staff. The work of these individuals included the development of policies and procedures for the orderly operation of the institutions and the offering of quality instructional programs.

For the most part, these institutions have been immune from actions by their boards, administrators, faculty, and support staff which could be considered unethical.

To the contrary, the news media has frequently reported action by individuals working within business, government, or other professions who have violated what has appeared to be ethical principles. Corporations have reacted by adopting codes of ethics.

The October, 1988 edition of the Rotarian magazine included an article by John M. Dunn which states that seventy-five percent (75%) of the top 1,200 U.S. companies now have written codes of ethics. These codes are designed to contain a body of knowledge which will help guide corporate executives and employees in making reasoned decisions relative to personal ethical behavior. (Dunn 40)

In 1979, the Association of Community College Trustees (ACCT) adopted a code of ethics for community/junior college trustees. In the December 4, 1990 edition of THE TIMES, published by AACJC, an article appeared entitled "Taking the High Road: Presidents Academy Develops Ethics Statement" which included the proposed Code of Ethics for Community/Junior College chief executive officers (Reinhart 9). In the July, 1991 edition of the AACJC Newsletter appeared the "Recommended Code of Ethics for Community, Technical and Junior College Chief Executive Officers" (Pierce 8).

The writer could find no recent comprehensive study of the "content" of the codes of ethics applicable to all employees of public Community, Technical and Junior Colleges, despite the apparent current interest in this subject.

This paper suggests that the leaders of community, Technical and Junior Colleges should consider following the example of corporate chief executive officers by providing the leadership in the development of codes of ethics for all administrators, faculty, and support staff. By so doing, they will avoid some of the ethical problems which plague large organizations outside the community college family.

The growth of community/junior/technical colleges over the past 50 years has opened windows of opportunity for an unprecedented number of administrators, faculty members, and support staff to

acquire employment in higher education. Many have come with backgrounds in business and industry. Thus, these colleges have employed individuals with a wide diversity of educational expertise and work experiences. This has been a strength of these colleges and is a contributing factor to the two-year colleges' desire to respond readily to business and industry needs.

As organizations develop and flourish, a need inevitably surfaces to provide a body of knowledge to which individuals may refer when making decisions which will be consistent and in keeping with their institution's ethical expectations.

An increasing number of business corporations today are taking on the responsibility of developing codes of ethics for their employees and executives. "Establishing a code of ethics or improving an existing one won't convert the corrupt into the virtuous," points out Andrew Likierman, Director of the Institute of Public Sector Management at the London Business School, "but it will give individuals access to a body of knowledge and create a climate in which the organization (and its employees) are better able to make informed judgments" consistent with their organization's policies. (Dunn 42).

For community/junior colleges, a first step must be a willingness on the part of the institution's chief executive officer to affirm some standards of expected conduct for the institution's

administrators, faculty and support staff. A second step requires reducing to writing the fundamental expectations of the organizations' employees.

II. PURPOSES OF THE STUDY

The purposes of this study are:

- 1) to present data resulting from an analysis of 100 codes of ethics or related documents reviewed from November 1, 1990 through August 31, 1991 provided by the largest community/junior/technical colleges in each state. The five largest community/junior/technical colleges in each state were requested to provide a copy of their code of ethics for this study;
- 2) to determine whether a body of ethics is surfacing which is common among most of the community, junior and technical colleges which were surveyed;
- 3) to compare the elements found in this study with those found in a similar study of codes of ethics of 100 of the largest corporations in the U.S. during 1989 and to determine the degree of similarity which exists, if any; and
- 4) to predict trends community, junior and technical colleges may take in the future as they establish and rely on codes of ethics to inform their administrators, faculty and support staff of expected behaviors.

III. PROCEDURES FOLLOWED IN THE STUDY

A decision to include community/junior/technical colleges from all 50 states was made so that no region would be omitted from the study.

A decision to include the 5 largest (where five existed) community/junior/technical colleges in each state was made primarily because of the perceived perception that the larger the institution (or district) the greater the need for a code of ethics to insure that all administrators, faculty, and support staff will follow the ethical expectations of the College which employs them.

Thus, 233 community, junior and technical colleges from all fifty states, including the largest institutions, where more than five colleges existed, were contacted for a copy of their code of ethics or related documents. One hundred colleges (100) responded by sending their codes or related documents. An additional 68 responded by indicating that they had no such document within their institutions.

Using a technique known as "content analysis" common in much of the research in the social sciences and humanities, all 100 codes or related material were subjected to this research technique. Any study using this method stands or falls depending upon the extent that the categories for analysis of written materials are clearly formulated and adapted to the problem and content (Berelson 18).

The definition of categories required that they be exhaustive to ensure that every item relevant to the study would be classified and that they be mutually exclusive, so that no item would be scored more than once within a category set (Holtsi 46). Seventy-seven (77) basic elements of ethical principles were identified in codes of ethics or related documents. These were elements extracted from:

Codes of Local College Boards of Trustees
Codes of University Boards of Regents
Community, Junior and Technical College Presidents
Codes of Ethics
Administrators Codes of Ethics
Faculty Handbooks
Support Staff Handbooks
State Education Agencies' Codes of Ethics Used by Colleges
Codes of Conduct of State Employees Used by Colleges
Other Education Agencies' Codes (i.e. American Association of University Professors -AAUP, National Education Association -NEA)
Federal Government Guidelines for Federal Employees Used by Some Colleges
College Computer Departments' Codes of Ethics

IV. LIMITATIONS OF THE STUDY

This study has been limited to 100 of the largest community/junior/technical colleges in the U.S. today. These large institutions exceeded all other two year colleges in enrollment by state. They were analyzed under six (6) categories of elements appearing in the codes. These categories are:

- (1) ADOPTED COLLEGE POLICIES;
- (2) LAWS OR ACTIONS OF EMPLOYEES WHICH WOULD BE IMPACTED BY LAWS;
- (3) EMPLOYEES AND THEIR BEHAVIOR;
- (4) POLITICAL ACTIVITY;
- (5) COMMUNITY SERVICE; AND
- (6) ENFORCEMENT AND ADMINISTRATION OF THE CODES.

Although these were the only categories into which the codes of ethics were grouped and thus could be a potential cause of bias, the reader should be aware that these colleges represent successful institutions which, because of their strong leadership and service to the public, have risen to the top as leaders in their respective communities and states. All have expressed an awareness of their responsibility through their codes of ethics or related documents (i.e. mission statements) to serve as ethical educational leaders within our democratic society.

Definition of Term

Ethics - Ethics, in logical terms is **not** in the form of a simple statement of fact about human conduct, but in the form of a statement about an obligation. The historian or psychologist or anthropologist makes judgments about human conduct by way of describing it, or saying what people do. The moralist or ethicist makes judgments about human conduct by way of evaluating it, or saying what people should do (Johnston 1).

V. DEVELOPMENT OF CODES OF ETHICS IN COMMUNITY, JUNIOR AND TECHNICAL COLLEGES

Policies and Procedures abound within community, junior, and technical colleges which contain references to ethics, however, the term "code" of ethics is found infrequently in the publications of these colleges. Most institutions have published

documents which make reference to ethical conduct of the president, administrators, faculty, and support staff. Few, however, have a published document entitled a "code of ethics" for all employees.

Thirty institutions provided their codes of ethics for their boards of trustees.

Twenty-six codes were provided entitled "educator codes" which relate to faculty responsibility and academic freedom.

Although not requested for this study, eleven student codes of ethics were sent in response to this survey.

Six colleges forwarded the code of ethics of the American Association of University Professors (revised, 1980) adopted by their faculties.

Six institutions forwarded the National Education Association (NEA) code of ethics adopted by their faculties.

Five institutions provided the codes of ethics of their state university system "board of regents".

- Five institutions provided their State Employees Code for Public Officers and Employees adopted for their faculties.

Five colleges provided codes of ethics which they had adopted for their administrators, excluding the president.

Two colleges provided codes of their sponsoring counties and indicated they are bound by the code of the county in which they reside.

Two institutions are also bound by their State Board of Education's code of ethics of the teaching profession. Both of these made reference to their State Ethics Commission publications, portions of which have been incorporated into their local college's ethics statements.

One institution provided only its ethics statement pertaining to its use of computers and computer software.

One institution indicated it had no official code of ethics but was considering joining a consortium of institutions (health care, business, governmental and higher education) which would focus on ethics and ethical issues.

Sixty-eight additional colleges responded in writing that they did not have a document identified as a code of ethics, however, they did have college catalogs, policy manuals, procedures manuals, faculty handbooks, and student handbooks which contain references to expected ethical conduct.

VI. DESIGN OF THE STUDY

Systematic methods of content analysis call for a sound design and strict adherence to procedures (Kerlinger 540). As Budd et al. have stated, research should be so conducted that the results obtained can be verified by other researchers who follow the procedures outlined by the original researcher (Budd et al. 14-15).

An attempt has been made in this paper to construct a clear statement of the questions to be answered and to devise a step-by-step description of the procedures, including what analyses will be made.

Definition of the Universe

The first step was to define the universe of content to be analyzed. Because communication pervades society, an investigator is usually faced with the problem of selecting some portion of it for his research. In this study:

One hundred (100) responses from community, junior and technical colleges from all over the U.S. were analyzed. The five largest community/junior colleges in each of the 50 states were contacted

and asked to forward a copy of their "code of ethics". Names and addresses of these colleges were taken from the 1990 edition of the American Association of Community/Junior College Directory (Mahoney 25-125).

VII. ANALYSIS OF THE DATA

Analysis was undertaken:

1. to present data resulting from an analysis of 100 codes of ethics of related documents review from November 1, 1990 through August 31, 1991 provided by the largest community, junior and technical colleges in each state. The five largest community, junior and technical colleges in each state were requested to provide copy of the code of ethics or related document for this study;
2. to determine whether a body of ethics is surfacing which is common among most colleges surveyed;
3. to compare the elements found in this study with those found in a similar study of codes of ethics of 100 of the largest corporations in the U.S. during 1989 which appeared in Standard and Poors Register, 1989 edition, to determine the degree of similarity, if any; and
4. to predict trends community, junior and technical colleges may take in the future as they establish and rely on codes of ethics to inform their faculty, administrators and support staff of expected behaviors.

One hundred (100) community, junior and technical colleges provided materials for this study. An additional sixty-eight responded indicating that they did not have a code, however, they all indicated that their college publications contained statements which would normally appear in a code. Such publications included: college catalogs, policy manuals, procedures manuals, faculty handbooks, support staff handbooks, and student handbooks.

Each code of ethics or related document was analyzed to identify the common elements appearing in each. These included: policy statements, procedure statements, codes of ethics for: boards of trustees, faculty, professional association codes for faculty (i.e. AAUP, NEA), university system Board of Regents codes, State Employees Codes for Public Officers and Employees, College administrators' codes of conduct, county codes of conduct governing community/junior colleges, and State Boards of Education codes of ethics governing community/junior colleges.

After identifying 76 elements appearing in the codes of ethics or related documents, these were grouped into six categories. The six categories are:

1. Adopted College Policies;
2. Laws or Actions of Employees Which Would be Impacted by Laws;
3. Employees and Their Behavior;
4. Political Activity of Employees or the Colleges;
5. Community Service by Employees or the Colleges; and
6. Administration and Enforcement of the Colleges' Codes of Ethics.

Listed below are all the elements appearing in the community, junior and technical colleges' codes of ethics or related documents, which were surveyed. These are grouped under the six categories identified earlier.

A. ELEMENTS PERTAINING TO ADOPTED COLLEGE POLICIES

1. Conflict of Interest
2. Use of College Property (i.e. vehicles, equipment, etc.)
3. Personal Acknowledgments
4. Employment of College Employees
5. Restrictions on the Employment of Relatives (Nepotism)
6. Private Tutoring
7. Endorsements
8. Authorization for use of Property, Supplies, Equipment, Materials and Other College Resources
9. Part-time Teaching by Administrative, Full-time Faculty, Adjunct Faculty, and Support Staff
10. Academic Freedom
11. Recruitment Process
12. New Employee Interview Process
13. New Employee Selection Process
14. Appointments to Teaching and Administrative Positions
15. Character
16. Commitment to Students
17. Commitment to the Profession
18. Outside Employment
19. Reporting of Violations of College Policy
20. Penalties for Violation of College Policy
21. Selection of Textbooks
22. Sexual Harassment Policy
23. Loyalty Oath
24. External Communications
25. Internal Communications
26. Non-criminal Penalties for Violation of the Codes of Ethics
27. Resignation from Contract
28. Withholding of Information
29. Representing Special Interests
30. Drug Free Work Place Policy
31. Drug Free Campus Policy
32. Faculty Grievance Procedures
33. Ethnic Harassment Policy
34. Violation of Fire, Health, Safety, Security and Traffic Regulations

- 35. Distribution of Handbills, Posting of Notices and Solicitation of Funds
- 36. Public Demonstrations Policy
- 37. Computer - General Responsibilities
- 38. Computer Network Responsibilities
- 39. Central Computing Responsibilities
- 40. Microcomputing Responsibilities
- 41. Computer Misuse
- 42. Disclosure of Outside Interest
- 43. Procurement of Goods and Services

B. ELEMENTS PERTAINING TO LAWS OR ACTIONS OF EMPLOYEES WHICH WOULD BE IMPACTED BY LAWS (LOCAL, STATE, OR FEDERAL)

- 44. Copyrighted Materials
- 45. Personnel Records
- 46. Fair Employment Practices
- 47. Communications (College Records)
- 48. Corporal Punishment or Physical Contact with Students
- 49. Felony Convictions: Forfeiture of Retirement Benefits
- 50. Student Non-discrimination
- 51. Employee Non-discrimination
- 52. Employment Non-discrimination
- 53. Equal Employment Opportunities (EEO)
- 54. Affirmative Action Plans
- 55. Whistleblower's Act (Florida Public Employees)
- 56. Hatch Act (Federal Public Employees)
- 57. Workmen's Compensation Policy
- 58. Family Educational Rights and Privacy Act
- 59. Falsification, Forgery, or Modification of any College related Document or Record
- 60. Guarantee of Faculty Due Process
- 61. Freedom of the Press (Student Newspapers)
- 62. Right of Privacy
- 63. Policy on Unauthorized or Disorderly Assembly
- 64. Firearms, Explosives and Weapons on Campus
- 65. Computer Software Copying Policy

C. ELEMENTS PERTAINING TO EMPLOYEES AND THEIR BEHAVIOR INCLUDING ADMINISTRATORS, FACULTY, AND SUPPORT STAFF

- 66. Acceptance of Gifts and Favors
- 67. Use of supplies & equipment produced by employees
- 68. Use of Other College Resources
- 69. Personal Benefit from Instructional Projects
- 70. Honorarium and Gratuities
- 71. Use of Confidential Information
- 72. Values

D. ELEMENTS PERTAINING TO POLITICAL ACTIVITY OF EMPLOYEES OR THE COLLEGES

73. Political Activity of Administrators, Faculty, and Support Staff

E. ELEMENTS PERTAINING TO COMMUNITY SERVICE BY EMPLOYEES OR THE COLLEGES

74. Commitment to Community Service

75. Public Speaking

F. ELEMENTS PERTAINING TO THE ADMINISTRATION AND ENFORCEMENT OF THE COLLEGES' CODES OF ETHICS

76. Commission on Ethics - Membership, Terms of Office, Responsibilities

VIII. FINDINGS AND CONCLUSIONS

A recent book by this author entitled "A Code of Ethics: Do Corporate Executives and Employees Need it?" (Edmonson 42-45) involved conducting a content analysis of codes of ethics from 100 of America's largest corporations. The results of that study parallels to a significant degree, the findings of this study.

Surprisingly, many of the codes of ethics or related documents of America's largest community, junior, and technical colleges contained many of the same elements which appeared in the corporations' codes.

Listed below are those elements which appear in BOTH studies:

100 OF AMERICA'S LARGEST
COMMUNITY, JUNIOR AND TECHNICAL
COLLEGES' CODES OF ETHICS OR
RELATED DOCUMENTS

1. conflict of interest
2. use of College property (i.e. vehicles, equipment, etc.)
3. employment of college employees
4. restrictions on the employment of relatives (nepotism)
5. recruitment process
6. reporting of violations of college policy
7. penalties for violation of college policy
8. sexual harassment policy; ethnic harassment policy
9. faculty consulting
10. external communication
11. internal communication
12. non-criminal penalties for non-compliance with the code
13. withholding of information
14. representing special interest
15. drug free work place policy
16. faculty grievance procedures
17. violation of fire, health, safety, security and traffic regulations
18. public demonstrations policy
19. computer-general responsibilities; computer network responsibilities; central computing responsibilities; microcomputer responsibilities; computer misuse

100 OF AMERICA'S LARGEST
CORPORATIONS' CODES OF ETHICS

1. conflict of interest
2. use of company assets (i.e. facilities, planes, etc.)
3. Equal Employment Opportunities
4. employment of relatives
5. employment of former government employees; hiring from competitors; employment of persons with handicaps
6. reporting of violations procedure
7. penalties for non-compliance with the code
8. freedom from harassment (verbal, physical, sexual)
9. use of consultants
10. privacy of communication
11. privacy of communication
12. penalties for non-compliance with the code
13. insider information
14. solicitation of personal benefits from outside or competing concerns; rendering of service for outside or competing concerns
15. alcohol and drugs in the workplace
16. union activity and representation; problem resolution
17. security regulations; health and safety
18. personal conduct of employees
19. security of computer systems;

100 OF AMERICA'S LARGEST
COMMUNITY, JUNIOR AND TECHNICAL
COLLEGES CODES OF ETHICS OR
RELATED DOCUMENTS (CONTD.)

- 20. disclosure of outside interests
- 21. procurement of goods and services
- 22. copyrighted materials
- 23. personnel records
- 24. Fair Employment Practices
- 25. communication (college records)
- 26. employment non-discrimination
- 27. Equal Employment Opportunities
- 28. right of privacy
- 29. firearms, explosives and weapons on campus
- 30. acceptance of gifts & favors
- 31. use of college resources
- 32. honorarium and gratuities
- 33. use of confidential information
- 34. values
- 35. political activity of adm., faculty and support staff
- 36. commitment to community service
- 37. commission on ethics-membership

100 OF AMERICA'S LARGEST
CORPORATIONS' CODES OF ETHICS
(CONTD.)

- 20. employee investments in other companies; employees' outside business interest
- 21. procurement
- 22. copyrighted works
- 23. company records
- 24. Equal Employment Opportunities
- 25. company records
- 26. Equal Employment Opportunities
- 27. Equal Employment Opportunities
- 28. employee privacy
- 29. explosives, firearms, and other weapons
- 30. gifts, favors, entertainment, trips and outings
- 31. use of company assets (i.e. facilities, aircraft, etc.)
- 32. solicitation of personal benefits from outside or competing concerns
- 33. privacy of company communications
- 34. honesty - building trust
- 35. political contributions inside and outside the U.S.; personal political involvement; lobbying; Political Action Committees; loans to political candidates; holding public office; relations with public officials
- 36. serving as officers on directorships or as trustees; memberships in civic and charitable groups; general public service board stewardship; obligation to society
- 37. administration of the code of ethics; implementation and review including revisions of the code

1. As America's population increases and the demand for higher education also increases (particularly within community, junior and technical colleges) we will see an increasing need for "codes of ethics". The present state of development is fragmented with some institutions addressing ethical issues in a comprehensive fashion while others are making little if any reference to the subject.

2. There is a body of elements surfacing which is common among many colleges surveyed. The 76 elements listed previously represent this common body.

3. The codes of ethics or related documents were presented in a variety of formats - from a one page, mimeograph, typewritten sheet to a typeset, well organized document.

4. A few colleges have appointed "ethics commissions" made up of administrators and faculty. These commissions were established to evaluate the code of ethics periodically and to recommend changes as needed.

5. A few colleges require administrators and faculty to sign a printed statement indicating they have received a copy of the code of ethics and agree to comply with it.

6. Most colleges were very willing to share their codes of ethics or related documents.

7. A few colleges indicated that their administrators and faculty are invited to serve as guest lecturers on ethical issues.

8. Some colleges included copies of their "mission statements". These statements usually made reference to ethical conduct on the part of college employees.

IX. PREDICTED FUTURE TRENDS IN THE ADOPTION AND USE OF CODES OF ETHICS IN COMMUNITY, JUNIOR AND TECHNICAL COLLEGES

1. College committees or commissions made up of representatives from all levels within the colleges will be organized to develop and/or revise codes of ethics.

2. Many colleges which now have statements relative to expected ethical conduct appearing in catalogs, policy manuals, faculty handbooks, etc. will compile these into a singular document which deals with expected ethical behavior.

3. Reference to drug or alcohol testing will appear frequently in colleges' codes of ethics.

4. References to the development of computer software by faculty and the ownership of such software will appear in colleges' codes.

5. As more handicapped individuals are employed by the colleges, the codes of ethics will cite the colleges' policies on prohibition against discrimination because of handicap.

6. College policies on Acquired Immune Deficiency Syndrome (AIDS) will appear in the codes of ethics.

7. The offering of staff development programs which specifically address ethical issues will become more common.

8. Finally "support staff" who have, for the most part, been omitted when making reference to expected ethical behavior will also be included when codes of ethics are developed.

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